

FISCAL NOTE

HB 2303

March 2, 2004

SUMMARY OF BILL: Adds various requirements regarding blood/alcohol content tests and traffic accidents including the followin, which requires:

- any physician, undertaker, law enforcement officer or other person having knowledge of the death of any person from the apparent results of a traffic collision to notify immediately the county medical examiner or district attorney general, the local police, or the county sheriff who shall notify the county medical examiner. When this occurs, the body shall not be removed from its position or location without authorization by the county medical examiner.
- a health care provider to notify a law enforcement officer to investigate a collision when the provider has a reasonable belief that the patient was the operator of a vehicle involved in a collision and that the alcohol concentration in the patient's blood meets or exceeds the legal limit or the persons urine contains one or more impairing drugs. Specifies that the health care provider shall be immune from civil liability for providing this notice to law enforcement.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$50,000/Incarceration*

Increase Local Govt. Expenditures - Not Significant

Increase Local Govt. Revenues - Not Significant


Estimate assumes:

- five additional convictions for vehicular assault, a Class D felony, based upon 50 convictions each year for vehicular assault increasing by 10% where the blood/alcohol content or urine test indicating drugs of a driver in a collision is reported by a health care provider to a law enforcement agency;
- local governments will have an increase in expenditures for additional investigations by the county medical examiner of deaths due to traffic collisions;
- impact to local governments also depends upon the number of persons convicted of DUI as a results of these provisions and the resulting increase in cost to local government to confine such persons versus the increased revenues to local government from fines levied and collected under the provisions of the bill;
- most persons involved in accidents resulting in a death are currently compelled to take a blood/alcohol content test which would be admissible into evidence.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director